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NO. 7628 P. 2/3

AUG 19 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

**L. VERTESY, et al.**

Examiner: OH, Taylor V.

Application No.: **10/608,466**

Art Unit: 1625

Filed: **June 27, 2003**

Title: **Polyenecarboxylic Acid Derivatives,  
Processes for Preparing Them, and Their  
Use**

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| <p align="center"><b>Certificate of Mailing or Transmission</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop address below, or being facsimile transmitted to the USPTO, on the date indicated below.</p> <p>Date of Deposit <u>August 19, 2005</u></p> <p>Printed Name of Person Signing Certificate <u>Brian Pritchett</u></p> <p>Signature <u>Brian Pritchett</u></p> |
|--|

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant(s) hereby appeals to the Board of Patent Appeals and Interferences from the decision dated February 22, 2005, of the Examiner finally rejecting Claims 16 and 18-23.

The item(s) checked below are appropriate:

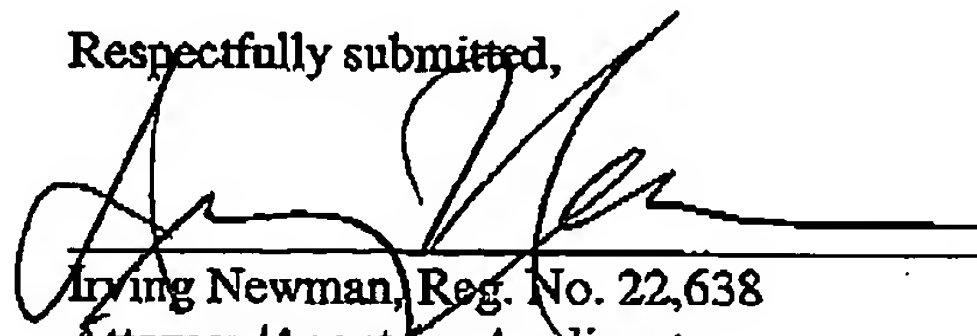
1. An extension of time:  
☐ was obtained on \_\_\_\_\_ for \_\_\_\_\_ months.  
☒ is enclosed herewith.
2. ☒ Notice of Appeal fee amount \$330.00.  
☐ Not required (Fee paid in prior appeal).

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.16 and/or 1.17 which may be required by this paper, or credit any overpayment to Account No. **18-1982**. Two duplicate copies of this sheet are enclosed.

08/22/2005 SMHASS1 00000040 181982 10608466

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Respectfully submitted,

  
\_\_\_\_\_  
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Aventis Docket No. DEAV2002/0046 US NP

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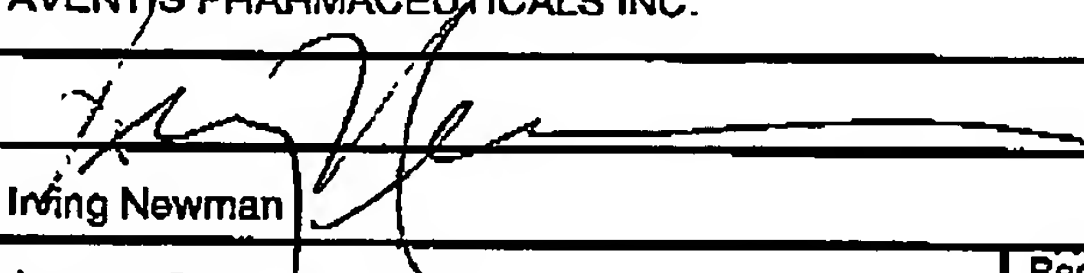
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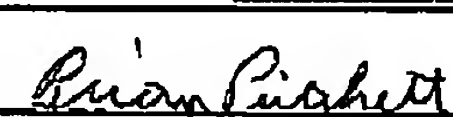
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PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0851-0031  
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|   |                      |                        |                     |
|---|----------------------|------------------------|---------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/608,466             |                     |
|   | Filing Date          | June 27, 2003          |                     |
|   | First Named Inventor | László VÉRTESY et al.  |                     |
|   | Art Unit             | 1625                   |                     |
|   | Examiner Name        | OH, Taylor V.          |                     |
| Total Number of Pages In This Submission  | 3                    | Attorney Docket Number | DEAV2002/0046 US NP |

| ENCLOSURES (Check all that apply)   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below):<br><div style="border: 1px solid black; height: 40px; width: 100%;"></div> |
| Remarks   |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |          |        |
|--|--|----------|--------|
| Firm Name                                  | AVENTIS PHARMACEUTICALS INC.   |          |        |
| Signature                                  |  |          |        |
| Printed name                               | Irving Newman  |          |        |
| Date                                       | August 17, 2005  | Reg. No. | 22,638 |

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| Signature   |  |      |                 |
| Typed or printed name   | Brian Pritchett   | Date | August 19, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.